



Entered on Docket
August 12, 2009

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEVADA

In re:)	Case No. 09-19282
)	
Adnan Mulahmetovic, and)	Chapter 13
)	
Alma Mulahmetovic)	Hearing Date: July 30, 2009
)	Hearing Time: 3:30 P.M.
)	
Debtors.)	
)	

**ORDER GRANTING MOTION TO VALUE COLLATERAL,
"STRIP OFF", "CRAM DOWN" AND MODIFY RIGHTS OF LENDER**

Upon the motion (the "**Motion**") of Adnan and Alma Mulahmetovic, the Debtors in the above-captioned proceeding (collectively, the "**Debtors**"), for their investment property located at 4671 Monterey Circle, Las Vegas, Nevada 89169 ("**Subject Property**"), requesting entry of an order to Value Collateral, "Strip Off", "Cram Down" and Modify Rights of Wells Fargo Home Mortgage ("**Wells Fargo**") pursuant to 11 U.S.C. § 506(a) and § 1322 finding that the second lien is unsecured;¹ and due notice of the Motion and the hearing of the Motion having been given to all parties entitled thereto; and a hearing having been held before this Court on July 30, 2009 (the "**Hearing**"), to consider approval of the Motion, at which time all parties in interest were afforded an opportunity to be heard; and the Court finding that the property has a

¹ Capitalized terms not otherwise defined herein have the meanings ascribed to them in the Motion.

S

1 value of \$66,000.00; and because there are no objections to the Motion having been filed; it is
2 hereby:

3 **ORDERED** that the Motion is **GRANTED**; it is further

4 **ORDERED** that Wells Fargo's secured lien claims are only partially secured and thus
5 must be bifurcated into secured and unsecured claims as follows: \$66,000.00 and
6 \$53,000.00 respectively; and it is further

7 **ORDERED** that the Debtors must complete the Chapter 13 plan and receive a discharge
8 or the liens may be reinstated; and it is further

9 **ORDERED** that as provided by Fed. R. Bankr. P. 7062, this Order shall be effective and
10 enforceable immediately upon entry.

11 Submitted by:
12 The Schwartz Law Firm, Inc.

13 By /s/ Sean McClenahan
14 Sean McClenahan #10141

15 Attorneys for Plaintiffs

16 
17 /s/ Kathleen A. Leavitt
18 Kathleen A. Leavitt

19 Chapter 13 Trustee

SUBMISSION TO COUNSEL FOR APPROVAL PURSUANT TO LR 9021

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

APPROVED:

DISAPPROVED:

FAILED TO RESPOND: